TERMS AND CONDITIONS OF SERVICE OF STATE COMMISSIONER FOR RIGHT TO SERVICE.

GOVERNMENT OF MAHARASHTRA
General Administration Department
Government Resolution No. RTS 2019/CR-81/18(O&M)
Mantralaya; Mumbai - 400 032.

Dated : - 24th October, 2019.

Read: - 1) Maharashtra Right to Public Services Act, 2015,
2) Government Resolution, General Administrative Department, No. SIC-2006 / 1322 / C.R. 04 / 07 / 5, dated 7th September, 2007,
3) Government Resolution, General Administrative Department, No. संकीर्ण २०१७/ प्र. क्र. २३१ / कार्या-सहा, दिनांक २८ नोव्हेंबर, २०१८,
4) General Administration Department, Government Notification No. RTS. 2016 / C. R. 124 (1) / 18 (O&M), dated 30st July, 2016

INTRODUCTION:

Maharashtra Right to Public Services Act, 2015 has come into force in the State since 21st August, 2015. As provided under section 13 of the Act, Government has constituted the Maharashtra State Right to Service Commission vide Government Notification, dated 30st July, 2016. Therefore it is necessary to sanction the terms and conditions of Service of the State Commissioner for Right to Service. The terms and conditions of service will be applicable to all the State Commissioners for Right to Service appointed in the respective divisions.

GOVERNMENT RESOLUTION:

In view of the provisions under section 14 of the Maharashtra Right to Public Services Act, 2015, the Government is hereby pleased to sanction the terms and conditions of Service of the State Commissioner for Right to Service as follows:

(1) Tenure:-

The State Commissioner for Right to Service shall hold office for a term of five years from the date on which he / she enters upon the office or until attains the age of sixty-five years, whichever is earlier, and shall not be entitled for reappointment. [Section 14(1) of the Act]

(2) Status:-

The status of the State Commissioner for Right to Service shall be the same as that of the Chief Secretary to the State Government as provided under section 14 (4) of the Act.

(3) Pay:-

As per 7th Pay Commission, the State Commissioner for Right to Service shall draw a pay of Rs. 2,25,000/- (Rupees two lakh Twenty Five thousand only) per month (fixed)(Level 17 in Pay Matrix). In case the State Commissioner for Right to Service at the time of appointment is in receipt of pension other than a disability or wound pension, in respect of any previous service under the State Government or Government of India, the pay of the State Commissioner for Right to Service will be Rs.2,25,000/- minus the amount of pension, including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity. Also the salary, allowances and other conditions of service of the State Commissioner shall not be varied to his / her disadvantage after his / her appointment. (Section 14 (4) of the Act) The State Commissioner for Right to Service shall be entitled to draw a pay equivalent to the level of the Chief Secretary to the Government of Maharashtra for all future Pay Revisions declared by the Pay Commissions of the Government of India.

(4) Leave:-

i) The State Commissioner for Right to Service, shall be eligible for leave as per All India Services (Leave) Rules, 1955 and such leave will be sanctioned by the Governor of the State.

ii) The State Commissioner for Right to Service shall be eligible for surrender of earned leave as per All India Services (Leave) Rules, 1955 for the purpose of encashment.

iii) The State Commissioner for Right to Service shall be eligible for encashment of earned leave at the time of demitting office standing at his credit.

(5)Accommodation:-

The State Commissioner for Right to Service shall be eligible for Government accommodation as per availability and till further orders. In case he / she is staying in his own residence or rented residence, he / she will be paid House Rent Allowance as per the prevalent rules of accommodation of Government of Maharashtra.

(6) Medical facilities :-

The State Commissioner for Right to Service and his / her family members shall be governed by the All India Services (Medical Attendance) Rules, 1954 as amended from time to time.

(7) Vehicle :-

i) The State Commissioner for Right to Service shall be provided with a Government vehicle for official purpose equivalent to the vehicle provided to

the Chief Secretary to the State Government.

ii) In case, if the Government vehicle is not available, a hired vehicle of equivalent status will be provided as per the prevalent rules and regulations issued by the Government from time to time.

iii) He / She is also entitled for reimbursement of travel expenses incurred by him / her if own vehicle has been used in lieu of Government vehicle used for official purpose.

(8) Mobile phone / Internet Services :-

The State Commissioner for Right to Service shall be provided with a Cell Phone with a national roaming facility from the date of his / her assumption of office as per Government order. He / She shall be provided with internet facility at his / her residence. He / she will be entitled to a lumpsum amount as per the existing rules and regulations of the State Government.

(9) Leave Travelling Concession :-

The State Commissioner for Right to Service shall be eligible for Leave Travelling Concession as per the prevalent All India Services (Leave travel concession) Rules, 1975.

(10) Pension:- No pensionary benefits or other post-retirement benefits shall accrue from the post of the State Commissioner for Right to Service. (Section 14 (4) of the Act)

(11) Administrative and other residuary matters:-

Other Administrative matters relating to the terms and conditions of service of the State Commissioner for Right to Service with respect to which no express provision has been made therein, shall be as applicable as to the Chief Secretary to the State Government.

This Government Resolution is issued with the concurrence of Finance Department vide its Unofficial Reference No. 429 / 2019 / Viniyam, dated 1st October, 2019, No. 167-A / 19 / Seva-4, dated 3rd October, 2019, No. 86 / Seva-5, dated 7th October, 2019, No. 253 / 19 / Seva-6, dated 7th October, 2019.

This Government resolution of Maharashtra Government is available at the website www.maharashtra.gov.in Reference no. for this is 201910311045551607. This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

Anshu Sinha

Digitally signed by Anshu Sinha
DN: c=IN, o=Government Of Maharashtra, ou=General Administration Department, postalCode=400032, st=Maharashtra, 2.5.4.20=a3a7504068b24f4e7eb0277456c1fe4e5d31e4d0b0fdc81eb8816e33c5735b5b, serialNumber=e71208cc885f6d3c01b374ed0921df256abda4ed94d69472deb566c39b4ee68c, cn=Anshu Sinha
Date: 2019.10.31 10:51:01 +05'30'

(Anshu Sinha)
Secretary to Government

To,

1. State Chief Commisioner for Right to Service, Mumbai,
2. State Commisioner for Right to Service, Konkan Revenue Division.
3. Accountant General (Acctt. & Entitlement) Maharshtra-1 Mumbai
4. Accountant General (Acctt. & Entitlement) Maharshtra-2 Nagpur
5. Accountant General (Audit) Maharshtra-1 Mumbai
6. Accountant General (Audit) Maharshtra-2 Nagpur
7. Pay and Account Officer, Mumbai
8. Resident Audit Officer, Mumbai
9. Treasury Officer, Konkan, Pune, Nashik, Aurangabad, Amravati, Nagpur,
10. Finance Department, Mantralaya, Mumbai
11. Select file.